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Atty. Dkt. No. 076565-0115

422

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Davis et al.

Title: HERMETICALLY SEALED
COSMETIC COMPACT
CASEPatent No.: ~~5,642,486~~

Issue Date: 12/01/1998

Appl. Serial No.: 09/469,494

Appl. Filing Date: 12/21/1999

Examiner: Paul J. Hirsch

Art Unit: 3732

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Jeanne M. Johnson
(Printed Name)

Jeanne M. Johnson
(Signature)

October 18, 2002
(Date of Deposit)

PETITION UNDER 37 C.F.R. § 1.181(a) REQUESTING WITHDRAWAL
OF THE HOLDING OF ABANDONMENT

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Attn: OFFICE OF PETITIONS

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on March 14, 2002, which set a three-month period for response.

APPLICANTS HEREBY PETITION FOR WITHDRAWAL OF THE HOLDING OF ABANDONMENT.

Attached is a copy of the Supplemental Reply and Amendment with a proper certificate of mailing under 37 C.F.R. § 1.8, dated April 3, 2002. This Supplemental Reply and Amendment was filed within the time period specified in the Office letter dated March 14, 2002. As such, the Notice of Abandonment was improper and should be withdrawn. Accordingly, Applicants request that the Supplemental Reply and Amendment filed April 3, 2002, a copy of which is attached hereto, be entered into the file and considered by the Examiner.

Applicants also attach a copy of a Supplemental Information Disclosure Statement filed on August 7, 2002, and having a proper certificate of mailing under 37 C.F.R. § 1.81. Applicant's also request that this paper be entered into the file and considered by the Examiner.

No Petition fee is required as provided under 37 C.F.R. § 1.81(a) and MPEP 711.03 (C).

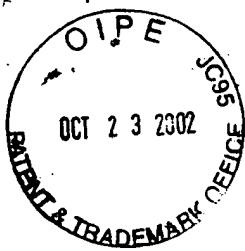
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date October 18, 2002

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Title: HERMETICALLY SEALED COSMETIC COMPACT CASE
Inventor(s): Davis et al. Dkt. No. 076565-0115
Patent No.: 5,842,486
Reissue Appl. No.: 09/469,494 JEPA (4/3/02)

- Transmittal of Supplemental Reply and Amendment (2 pgs.);
- Associate Power of Attorney (1 pgs.);
- Supplemental Reply and Amendment with Appendix A (11 pgs.).

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
Foley & Lardner



4/26/02
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